

U.S. Serial No. 10/680,269
Amendment Dated October 5, 2005
Response To Office Action Dated July 11, 2005

REMARKS

The pending application was filed on October 7, 2003 with claims 1-33. This amendment is filed with a request for extension of time and authorization to charge Deposit Account No. 50-0951 for the appropriate fees. The Examiner issued a Non-Final Office Action dated December 30, 2004 rejecting claims 1-33. A Response dated April 29, 2005 was filed. The Examiner issued a Final Office Action dated July 11, 2005 in which pending claims 1-12 and 14-34 were rejected. In particular, the Examiner objected to claims 1, 5-9, 14, 15, 16, 27, and 34 under 37 CFR 1.75(c). The Examiner also rejected claims 1, 2, 4, 5, 15, 17, 18, 27, 28, 30, and 34 under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,022,178 to *Carlson* and rejected claims 1-3, 5, 12, 15, 16, 18, 25, 27-29, 33, and 34 under 35 U.S.C. §102(b) as being unpatentable over United States Patent No. 3,916,517 to *Luongo*. The Examiner also rejected claims 10, 11, 23, 24, 31 and 32 under 35 U.S.C. §103(a) as being unpatentable over either *Carlson* or *Luongo*, rejected claims 12 and 33 under 35 U.S.C. §103(a) as being unpatentable over *Carlson* in view of United States Patent No. 5,162,615 to *Schrader et al.*, rejected claims 19-24 and 26 under 35 U.S.C. §103(a) as being unpatentable over either *Carlson* or *Luongo*, rejected claims 6-9 and 19-22 in view of either *Carlson* or *Luongo*, rejected claims 10, 11, 23, 24, 32 and 32 in view of either *Carlson* or *Luongo*, and rejected claims 14 and 26 in view of *Carlson* or *Luongo*.

Claims 1-12 and 14-34 were pending in the patent application. Claims 5, 18, and 34 have been canceled without prejudice. Therefore, claims 1-4, 6-12, 14-17 and 19-33 are now

{WP261493:1}

U.S. Serial No. 10/680,269
Amendment Dated October 5, 2005
Response To Office Action Dated July 11, 2005

pending. In view of the amendments set forth above and the arguments set forth below, claims 1-4, 6-12, 14-17 and 19-33 are allowable, and the Examiner is respectfully requested to withdraw the rejections and issue a timely Notice of Allowance.

I. STATEMENT OF SUBSTANCE OF THE INTERVIEW

Representative Mike Dixon and the above-identified Examiner conducted a telephonic interview on August 31, 2005. The undersigned representative thanks the Examiner for granting the telephonic interview in this application. The cited prior art references including United States Patent No. 5,022,178 to *Carlson* and United States Patent No. 3,916,517 to *Luongo* were discussed. In addition, independent claim 1 was discussed, and the undersigned Representative and the Examiner came to an agreement regarding claim 1, which is set forth above.

II. CLAIM OBJECTIONS

The Examiner rejected claims 1, 5-9, 14-16, 27 and 34 under 37 CFR 1.75(c). In response, claim 34 have been canceled without prejudice and claims 1, 15, 16 and 27 have been amended as requested. Therefore, the Examiner is respectfully requested to withdraw the rejection.

{WP261493,1}

U.S. Serial No. 10/680,269
Amendment Dated October 5, 2005
Response To Office Action Dated July 11, 2005

III. CLAIM REJECTIONS UNDER 35 U.S.C. §102(b)

The Examiner rejected claims 1, 2, 4, 5, 15, 17, 18, 27, 28, 30 and 34 under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 5,022,178 to *Carlson*. The Examiner stated that *Carlson* discloses a crimp in Figures 6 and 7 that comprises a body having at least one fishing line receiving cavity extending through the body and adapted to receive at least two diameters of a fishing line and at least one pin cavity adapted to receive at least one pin, the at least one pin extending from the body.

Independent claims 1, 15, and 27 have been amended. More specifically, independent claim 1 has been amended to state, in relevant part, "at least one pin cavity receiving at least one pin, wherein the at least one pin extends from the body generally along a longitudinal axis of the body and is bent transversely to the longitudinal axis of the body to assist in the attachment of a baitfish to a hook positioned in close proximity to the crimp." Claims 15 and 27 have been likewise amended.

Carlson is directed to a fishing rig for live or artificial bait that includes two hooks positioned apart from each other with a shaft (80). The shaft (80) is attached to a hook (72) with a crimp (76). As discussed during the interview, *Carlson* does not disclose that "at least one pin extends from the body generally along a longitudinal axis of the body and is bent transversely to the longitudinal axis of the body to assist in the attachment of a baitfish to a hook positioned in close proximity to the crimp." Rather, *Carlson* discloses a shaft that extends from the crimp without being bent. Furthermore, the device, and in particular, the crimp disclosed in *Carlson* functions very differently from the claimed invention. In

{WP261493,1}

U.S. Serial No. 10/680,269
Amendment Dated October 5, 2005
Response To Office Action Dated July 11, 2005

particular, the crimp of *Carlson* facilitates attaching a shaft used to separate two hooks from each other for attachment to a baitfish. In contrast, the claimed invention is directed to a crimp having a pin extending from the crimp and bent so as to facilitate attachment of a baitfish to a hook and to prevent the baitfish from becoming disengaged from the hook. Thus, for at least these reasons, amended independent claims 1, 15, and 27, and those claims depending therefrom, are not anticipated by *Carlson* and are allowable. Therefore, the Examiner is respectfully requested to withdraw the rejection and allow the claims.

Claims 1-3, 5, 12, 15, 16, 18, 25, 27-29, 33 and 34 are rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 3,916,517 to *Luongo*. The Examiner stated that *Luongo* discloses a crimp comprising a body having at least one fishing line receiving cavity extending through the body and adapted to receive at least two diameters of a fishing line, and at least one pin cavity adapted to receive at least one pin, the at least one pin extending from the body.

Independent claims 1, 15, and 27 have been amended. More specifically, independent claim 1 has been amended to state, in relevant part, "[a] fishing line crimp . . ." and "at least one pin cavity receiving at least one pin, wherein the at least one pin extends from the body generally along a longitudinal axis of the body and is bent transversely to the longitudinal axis of the body to assist in the attachment of a baitfish to a hook positioned in close proximity to the crimp." Claims 15 and 27 have been likewise amended.

Luongo is directed to a parallel splice usable in electrical applications. The connector disclosed in *Luongo* may be used in electrical applications to couple a ground rod and an

{WP261493;1}

U.S. Serial No. 10/680,269
Amendment Dated October 5, 2005
Response To Office Action Dated July 11, 2005

electrical conductor together. The connector disclosed in *Luongo* includes a first chamber for receiving an electrical conductor and a second chamber for receiving an electrical ground. However, in stark contrast, *Luongo* does not disclose a fishing crimp or a pin extending from the body generally along a longitudinal axis of the body and bent transversely to the longitudinal axis of the body to assist in the attachment of a baitfish to a hook positioned in close proximity to the crimp. Thus, for at least these reasons, *Luongo* does not anticipate claims 1, 15 and 27, and those claims depending therefrom. Therefore, the Examiner is respectfully requested to withdraw the rejection.

IV. REJECTION OF CLAIMS UNDER 35 U.S.C. §103(a)

The Examiner rejected claims 10, 11, 23, 31 and 32 under 35 U.S.C. §103(a) as being as being unpatentable over either *Carlson* or *Luongo*. The Examiner also rejected claims 12 and 33 under 35 U.S.C. over *Carlson* in view of United States Patent No. 5,162,615 to *Schrader et al.* and rejected claims 19-24 and 26 under 35 U.S.C. §103(a) as being unpatentable over either *Carlson* or *Luongo*. The Examiner rejected claims 6-9 and 19-22 in view of either *Carlson* or *Luongo*, rejected claims 10, 11, 23, 24, 32 and 32 in view of either *Carlson* or *Luongo*, and rejected claims 14 and 26 in view of *Carlson* or *Luongo*.

As set forth above, independent claims 1, 15 and 27 have been amended and are now patentable. The above-listed claims rejected under 35 U.S.C. § 103(a) depend from allowable independent claims 1, 15 or 27 and are allowable for at least this reason. Therefore, the Examiner is respectfully requested to withdraw the rejection.

{WP261493:1}

U.S. Serial No. 10/680,269
Amendment Dated October 5, 2005
Response To Office Action Dated July 11, 2005

CONCLUSION

For at least the reasons given above, claims 1-4, 6-12, 14-17 and 19-33 define patentable subject matter and are thus allowable. The undersigned representative thanks the Examiner for examining this application.

Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is respectfully requested to contact the undersigned representative at the telephone number listed below.

No fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 50-0951.

Respectfully submitted,



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{WP261493;1}